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other nests of this species, found at but a short distance away, will complete the record of nests observed. At a point on a cactus desert, about a mile from where most of the nests enumerated were taken, I found a nest of this species built on the trunk or stem of a yucca about eight feet from the ground. It contained young birds almost ready to leave the nest. The trunks of many of the yuccas are covered with dead leaves hanging downward, and this nest, which is a cup-like structure, built of green grasses closely woven, is placed on the *outside* of the dried leaves and is only attached to one of them. It is rather more than three inches deep, and is attached to a single leaf for this distance. No leaves cover it or conceal it, and the general appearance is that of a cup resting against the trunk of a tree with no apparent attachment to it.

In the mesquite regions about Tucson the nests are frequently built in the mistletoe that grows plentifully on that tree. These nests are generally symmetrical, shallow cups in shape, and are almost always semi-pensile.

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## ON *BUTEO HARLANI* (AUD.) AND *B. COOPERI* CASS.

BY ROBERT RIDGWAY.

SINCE the publication in 'The Auk,' for July, 1884 (pp. 253, 254), of the article suggesting the possible identity of these two birds, the National Museum has purchased from Mr. G. H. Ragsdale, of Gainesville, Texas, a specimen which proves conclusively that *B. harlani* has, like *B. borealis* and *B. swainsoni*, a light-colored phase, but at the same time, unfortunately, does not dispose of the question of *B. cooperi*. The recently acquired specimen, which is undoubtedly *B. harlani*, is even decidedly lighter in color than *B. cooperi*, the tail being almost wholly white, as are also the upper coverts, while the scapulars and wing-coverts have a much greater amount of light spotting. Notwithstanding its very light colors, however, the two particularly diagnostic characters of *B. cooperi*, mentioned in the article above referred to, viz., the unusual length of the naked portion of the tarsus, in front, and the plumbeous or almost glau-

cous color of the outer surface of the primaries, are wanting, and the type of the last-named bird, therefore, remains unique in respect to at least the last mentioned of these two characters.

The following measurements of *B. cooperi* and two light colored examples of *B. harlani* will show the differences in the measurements of the tarsi:—

<i>Species.</i>	<i>Wing.</i>	<i>Tail.</i>	<i>Culmen.</i>	<i>Tarsus.</i>	<i>Bare part of tarsus in front.</i>	<i>Middle toe.</i>
<i>B. cooperi</i> *....	15.75	9.10	1.05	3.15	2.25	1.70
<i>B. harlani</i> †....	16.25	10.00	1.10	2.85	1.75	1.75
<i>B. harlani</i> ‡....	16.50	9.50	1.10	3.25	—	1.80

\* Type. No. 8525, U. S. Nat. Mus., Santa Clara, Cal.

† No. 99,969, Gainesville, Texas.

‡ Coll. C. E. Aiken, Colorado Springs. This specimen has been previously referred to by me as *B. cooperi*.

For reasons which are explained in the paper referred to, I am unable to give a description of the Colorado specimen; but my recollection is that it differed materially from the type of *B. cooperi* in the color of the primaries, and that there was some difference in the color of the tail; in other words, that as to the former character it was decidedly more like the Texas specimen. The latter differs from the type of *B. cooperi* in the following particulars:—

**B. cooperi.** Outer surface of primaries hoary plumbeous, with a glaucous cast, the shafts dusky, in strong contrast. Upper surface of tail with rufous and grayish prevailing (the former in excess of the latter), all the feathers irregularly and confusedly dashed longitudinally with dusky; about .60 of an inch from the tip (measured on middle rectrices) the tail crossed by a broad but broken band of dusky, this succeeded by rufous, the tip white; dark markings across abdomen narrowly lanceolate. Under surface of tail showing distinct but much broken subterminal dusky band.

**B. harlani.** Outer surface of primaries dull brownish slate, finely mottled, more or less, with lighter and darker, the shafts brownish white (more dusky terminally). Upper surface of tail white, the edges of the feathers confusedly mottled with brownish gray, the color somewhat intensified in the region of the usual subterminal band; dark markings across abdomen broadly guttate. Under surface of tail uniform white.

From the material which I have thus far been able to examine, I am, on account of the above-mentioned facts, not quite prepared to relinquish the claims of *B. cooperi* as a distinct species, although still of the opinion that additional specimens would probably break down the characters on which it at present stands.